

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)

NCR CORPORATION, : CASE NO. C-3-04-0097
Plaintiff, : (Judge Thomas M. Rose)
v. :
FUSIONONE, INCORPORATED, : **PLAINTIFF'S NOTICE OF
DISMISSAL WITH PREJUDICE**
Defendant. :

Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff NCR Corporation dismisses the above-captioned action with prejudice.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on September 1, 2004, I electronically filed the foregoing Plaintiff's Notice of Dismissal With Prejudice with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

James M. Hill
James M. Hill Co., L.P.A.
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and I certify that I have mailed the document via U.S. Mail, postage prepaid, to the following non CM/ECF participants:

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